UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/787,108	02/27/2004	Tatsuhiko Miyata	NIT-415	5068

86636   7590   05/11/2010
BRUNDIDGE & STANGER, P.C.
2318 MILL ROAD, SUITE 1020
ALEXANDRIA, VA 22314

EXAMINER
WANG, HARRIS C

ART UNIT	PAPER NUMBER
2439	

MAIL DATE	DELIVERY MODE
05/11/2010	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _09 March 2010_.

2a)☒ This action is **FINAL**.　　　　2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _26-29_ is/are pending in the application.

　　4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _26-29_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

　　Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

　　Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

　　a)☐ All　b)☐ Some * c)☐ None of:

　　　1.☐ Certified copies of the priority documents have been received.

　　　2.☐ Certified copies of the priority documents have been received in Application No. _____.

　　　3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

　* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
　　Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
　　Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

Response to Arguments

Applicant has pointed out the typographical error in the previous Office Action where the name Belani (cited previously) was misspelled as "Bellini." No new reference was intended on being cited and a Supplemental Action with the corrected name is being submitted. Another Notice of References is being sent with Belani (6772350) attached.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

> The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 26-29 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Claim 26 specifically claims 6 separate layers where the first layer is the highest and the sixth layer is the lowest wherein the first through sixth layers are: relationship among the identification, location, communication status, open, read, and write.

The Examiner could not find any support in the specification for 6 layers or support for the 6 layers being the ones claimed in the order claimed.

Claims 27-29 depend on the above claims and are rejected for at least the same rationale.

Claim 26 recites the limitation "the control unit sets a permission attribute of the information item layer to a level that is higher than that of the layer corresponding to said information item."

The Examiner could not find any support in the specification or claims that explain how each information item layer specifically corresponds to any other layer.

Claims 27-29 depend on the above claims and are rejected for at least the same rationale.

The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 26-29 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 26 claims "a relationship among the identification as a first layer." It is unclear to the Examiner how to have a relationship "among" the identification.

Claims 27-29 depend on the above claims and are rejected for at least the same rationale.

Claim 26 recites the limitations: "wherein if one of said fourth layer, said fifth layer and sixth layer has a level that is higher..." and "wherein if one of said first layer, said second layer and said third layer has a level higher than that of said information item." While the claim states that the 1st layer is higher than the 2nd layer which is higher than the third and the 4th layer is

higher than the 5th layer which is higher than the 6th layer, the Claim does not state whether the

first set of layers is "higher" than the second set. This makes the limitation indefinite as the claim

can be interpreted in opposite ways.

Claims 27-29 depend on the above claim and are rejected for at least the same rationale.

Claim 26 recites the limitation "the operation layer" and "the information item layer" in

lines 31 and 36. There is insufficient antecedent basis for this limitation in the claim.

Claims 27-29 depend on the above claim and are rejected for at least the same rationale.

Claim 26 recites the limitation "for each of the user terminals, the level of the first layer

is higher than that of the second layer, and the level of the second layer is higher than that of the

third layer."

The first second and third layers have been defined as user information items. While it is

understandable what "levels" mean with regard to the 4th-6th permission layers (i.e. permission

levels), it is unclear how user information can have a higher "level"than other user information.

Also the use of the world "level" is unclear.

Claims 27-29 depend on the above claim and are rejected for at least the same rationale.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
such that the subject matter as a whole would have been obvious at the time the invention was made to a person
having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
manner in which the invention was made.

Claims 26-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Belani in

view of Chang.

Regarding Claims 26-27

Belani teaches a server *(Figure 1)* coupled to a plurality of user terminals via a network

comprising:

A memory unit *(Figure 1)*

A control unit *(Figure 1)*

Wherein said memory unit stores information items corresponding to a user;

The memory unit further stores relationship between each information item and

permission attributes, *(Column 4, in particular lines 36-41 describes user systems and server systems*

together controlling access to resources)

When there is a request from the user terminal to permit executing one of said operations

the control unit

Changes said permission from non-permission to permission (*"Fig. 3 depicts an exemplary*

access list information 50 for a resource…For each operation, a user or group may be granted

"positive" permission or "negative" permission." Column 7, lines 5-14). The Examiner interprets the

Access Control list as categorizing permissions of users.

Refers to the layer of said operation to be requested for changing the permission

(Figure 6. shows the permissions arranged hierarchically by resource and Figure 7 shows

permissions arrange hierarchically by user)

Belani teaches a relationship among the identification (Groups in the ACLR), location

information (Col. 10, line 55 "location of resource"), communication status, open, read, write *(all*

in Column 7, lines 1-5)

However Belani does not explicitly teach wherein a relationship among the identification

defines the first layer,

The location information as a second layer,

And the communication status as a third layer,

The memory also stores operation for information items including an open operation as a

fourth layer, a read operation as the fifth layer, and a write operation as a sixth layer

It would have been obvious to one of ordinary skill in the art at the time of the invention

to make the design choice of having the identification defines the first layer,

The location information as a second layer, and the communication status as a third layer, The

memory also stores operation for information items including an open operation as a fourth

layer, a read operation as the fifth layer, and a write operation as a sixth layer, wherein the level

of the first layer is higher than the level of the second layer which is higher than the level of the

third layer and the level of the fourth layer is higher the level of the fifth layer which is higher

than the level of the sixth layer.

All the claimed elements were known in the prior art (the 6 "layers") and one skilled in

the art could have combined the elements as claimed by known methods (hierarchy tree of

Figures 6-7) with no change in their respective fnctions and the combination would have yielded

predictable results to one of ordinary skill in the art at the time of the invention

Belani does not explicitly teach setting permission attribute to a level higher or lower than the

layer of the layer corresponding to the operation when one of the layers has a higher layer or

lower layer.

Chang (20030229623) teaches <u>when there is a request from the user to change the permission</u>

<u>setting value for any permission level other than the highest-level operation for any of the object</u>

<u>information items, consistency of the permission setting value for each level higher than the level</u>

<u>for which the change request has been made with the permission setting value for which the</u>

<u>change request has been made, said second means corrects, when there is a contradiction in said</u>

<u>consistency the permission setting value for each level higher than the level for which the request</u>

<u>to change the setting value has been made</u> *("In FIG. 8b, "reverse" or "upward" inheritance is*

illustrated, such as employed for the JMS Topic hierarchy, wherein a subscriber at a certain level

receives subscriber abilities at all "higher" levels in the tree (e.g. for all ancestor or parent levels"

Paragraph [0116]) ("a user who is given the "subscriber" role for the "yachting" topic can read articles

form the yachting topic, as well as read articles from the "water" topic and the more general "sports"

topic. But, that user cannot read articles in "windsurfing", because that topic is not an ancestor of the

"yachting" topic in the topic tree hierarchy (e.g. it is a sibling") Paragraph [0113]) Paragraph [0113]

describes "correcting" the permission setting value so that there is a consistency of the permission setting

value (ability to read) for each level higher. Also see Figure 8A for standard inheritance

It would have been obvious to one of ordinary skill in the art at the time of the invention

to modify Belani with a reverse upward inheritance or downward model as taught by Chang.

The motivation is "reverse inheritance role assignment methods simplifies the role

assignment problem because it only needs to make role assignment at exactly one place." Also

"to address different requirements from various application environments the invention provides

several configurable behaviors: normal inheritance, reverse inheritance" Paragraph [0117])

Regarding Claims 28-29,

Belani and Chang teach wherein said communication status is availability of information of said

user terminal (Column 7 of Belani, "publish")

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the mailing

date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to HARRIS C. WANG whose telephone number is (571)270-1462. The examiner can normally be reached on M-F 9-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, EDAN ORGAD can be reached on (571) 272-7884. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Harris C Wang/
Examiner, Art Unit 2439

/Edan Orgad/
Supervisory Patent Examiner, Art Unit 2439